



**City of Bellevue  
Development Services Department  
Land Use Staff Report**

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**Proposal Name:** Safeguard Self Storage Rezone

**Proposal Location:** 1015 164th Avenue NE

**Proposal Description:** The applicant requests a site-specific rezone of a 6.4 acre site that comprises the Safeguard Self Storage site currently zoned Office (O) to be zoned Community Business (CB). This rezone is concurrent with a Comprehensive Plan Amendment approved by ordinance 6561 in 2020, that changed the underlying land use from office to community business.

**File Number:** 20-102751-LQ

**Applicant:** Tia Fergusson

**Recommendations Included:** Rezone (Process III)

**Planner:** Reilly Pittman, Planner Manager

**State Environmental Policy Act  
Threshold Determination:**

Consistent with WAC 197-11-600(4)(a), a Determination of Non-Significance was issued on October 8, 2020 for the concurrent Comprehensive Plan Amendment and Rezone.

**Director's Recommendation:** **Approval with Conditions**

By: Elizabeth Stead for  
Michael A. Brennan, Director  
Development Services Department

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**Application Date:** January 30, 2020  
**Notice of Application Date:** February 11, 2021  
**Public Meeting Date:** February 18, 2021  
**Recommendation Date:** September 30, 2021  
**Virtual Public Hearing Date:** October 21, 2021 at 6pm

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Due to Covid-19 the public hearing will be a virtual public hearing. For information on how to attend the virtual public hearing please contact the Hearing Examiner Office at 425-452-6934.

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### **Documents Referenced in File:**

1. Ordinance 6561 – Attached
2. SEPA DNS Issued October 8, 2020 – Attached
3. SEPA Checklist, Plans, Project Narratives, Title Report, Proposal Information, and Forms –  
In File

## **I. REQUEST AND REVIEW PROCESS**

### **A. Request**

The applicant is proposing to rezone the Safeguard Self Storage site that is currently zoned Office (O) to Community Business (CB). This is a site-specific rezone that has no proposed project or development.

### **B. Review Process**

This rezone was submitted with a concurrent application for a Comprehensive Plan Amendment, file 20-102660-AC, that changed the underlying land use from Office to Community Business. The Comprehensive Plan Amendment was approved and adopted by the Bellevue City Council on December 14, 2020, as Ordinance 6561.

Rezoning is a Process III decision which is a quasi-judicial decision. The Director of Development Services makes a recommendation to the Hearing Examiner for approval, approval with conditions, or denial based on the applicable Land Use Code decision criteria. The Hearing Examiner holds a public hearing and takes testimony from the public on the Director's recommendation. Following the public hearing, the Hearing Examiner issues a recommendation to the City Council for approval, approval with conditions, or denial based on whether the proposal complies with the applicable decision criteria by a preponderance of the evidence. The City Council makes a final decision based on the record established by the Hearing Examiner.

## **II. SITE DESCRIPTION, ZONING, AND LAND USE CONTEXT**

### **A. Site Description**

The Safeguard Self Storage site is located 1015 164<sup>TH</sup> Avenue NE in the Crossroads Subarea of the City. The site is comprised of five separate parcels, totaling 6.4 acres. The three parcels with that are developed have been combined for tax purposes. The site is mostly paved and developed with several storage buildings and parking areas. The site has some vegetation present along the north boundary of the site. Access to the site is obtained by an easement that crosses a parcel to the west which has frontage on 164<sup>th</sup> Avenue NE. The access easement also crosses a small portion of Crossroads Park. The site has no direct street frontage on a public street but does have frontage on NE 11<sup>th</sup> Street, a private street to the north of the site. The site is generally flat and does not contain any critical areas. **See Figure 1 below for existing site.**

Figure 1



## B. Zoning

Crossroads Park is adjacent to most of the site, is zoned Office, and is to the west and south. The site abuts property developed with multifamily housing to the north that is zoned R-30. To the east is another property zoned Office that is developed with an office building which is used by the Salvation Army. See Figure 2 below for zoning.

Figure 2



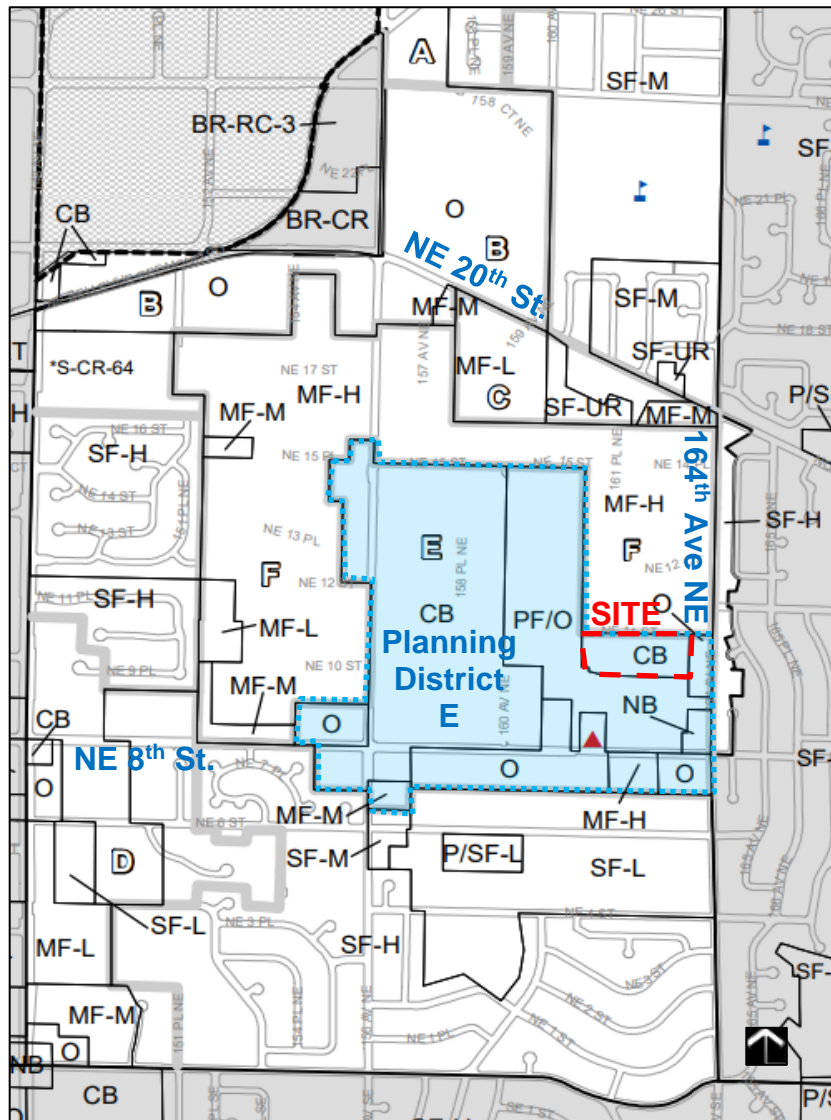
### C. Land Use Context

The underlying land use designation of the site was changed by an amendment of the City's Comprehensive Plan map from Office to Community Business in 2020. Crossroads Park has a land use designation of Public Facility/Office (PF/O). The multifamily property to the north has a land use designation of Multifamily High Density (MF-H) and the property to the east has a designation of Office (O). This site is within the Crossroads Subarea and is within Planning District E of the Crossroads subarea. **See Figure 3 below for surrounding land uses and Figure 4 for subarea planning district.**

Figure 3



Figure 4



### III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS

#### A. Standard Requirements and Dimensions

The proposed rezone does not include any development which will be proposed under separate applications in the future. The rezoned site is subject to the requirements in Land Use Code Part 20.25I for Community Retail Design District, all zoning dimensional standards in LUC 20.20.010, and any requirements on specific uses that may be proposed. A portion of the site is within 300 feet of the adjacent parcel to the north that is zoned R-30 and this area is subject to the requirements of the Transition Overlay Area in LUC 20.25B. A general comparison of the zoning requirements for the Office and Community Business zones is provided below.



<b>Zoning</b>	<b>Office (Existing)</b>	<b>Community Business (Proposed)</b>	<b>Comments</b>
<b>ITEM</b>	<b>REQUIRED/ ALLOWED</b>	<b>REQUIRED/ ALLOWED</b>	
<b>Minimum Setback of Structures</b>	Front – 30' Rear – 25' Side – 20' 2 Sides – 40'	Front – 0' Rear – 0' Side – 0' 2 Sides – 0'	30' setback required from abutting R-30 zone to north of site
<b>Max Office Floor Area Ratio</b>	.33	.33	FAR for office uses per footnote 8 of LUC 20.20.010
<b>Minimum Lot Area</b>			No minimum specified
<b>Dwelling Units per Acre</b>	20	30	
<b>Maximum Building Height</b>	30'	45'	Maximum height in transition area is 45'
<b>Lot Coverage</b>	35%		No lot coverage specified for CB zone
<b>Maximum Impervious Surface</b>	60% 80% if infiltration feasible	65% 85% if infiltration feasible	
<b>Maximum Hard Surface Coverage</b>	85%	85%	

#### **IV. PUBLIC NOTICE AND COMMENTS**

Application Date:	January 30, 2020
Notice of Application:	February 11, 2021
Public Notice Signs:	February 11, 2021
Public Meeting:	February 18, 2021
Minimum Comment Period:	February 25, 2021

The project was publicly noticed in the City's Weekly Permit Bulletin, in the Seattle Times, and by signage posted at two locations on the project site on February 11, 2021. A public meeting was held on February 18, 2021. No public comments were received.

#### **V. TECHNICAL REVIEW**

##### **A. Utilities**

Utilities Department technical staff reviewed the proposed rezone for water, sewer, and drainage capacity concerns and anticipated no impacts from this proposed rezone to water and drainage capacity and infrastructure. Utilities review notes that a portion of the existing

sewer system downstream from this property is close to capacity with the existing buildout of the area it serves. Future development as a result of this rezone proposal could increase demand on the existing sewer system. Offsite improvements, specifically sewer capacity improvements, may be needed as part of any future development proposal. All impacts associated with a specific project to develop the site will be reviewed and mitigation required as part of the review of any future application proposing development of this site.

## **B. Transportation Review**

The applicant is proposing to rezone this 6.42-acre site from Office to Community Business. The site is located east of 164th Avenue NE on NE 11th Street, a private street contained in several access easements. NE 11th Street is approximately 24 feet wide and has on-street parking and a partial sidewalk on the north side. The site is currently developed as a mini-storage facility and is bordered on the south and west sides by Crossroads Park.

The proposed rezone would allow the site to be developed with commercial or residential uses, and the applicant is anticipating a mix of both. This may result in some additional vehicle trips generated compared to the existing use when the site is developed, but this is not expected to result in a significant traffic or transportation impact. However, depending on the specific proposal for the site, the existing access would likely be inadequate for pedestrian use and may be required to be upgraded to provide adequate pedestrian facilities. The transportation review of any development proposal will include an assessment of the vehicle and pedestrian impacts, and any mitigation required for the development proposal will be determined at that time.

## **VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

The Comprehensive Plan Amendment and this rezone proposal are non-project actions per WAC 197-11-704. A non-project final SEPA threshold determination was issued as part of Comprehensive Plan Amendment, File 20-102660-AC, that is associated with this rezone application. The CPA proposal amended the Comprehensive Plan designation on the site from Office (O) to Community Business (CB) which is the same proposal as this concurrent rezone application.

The Environmental Coordinator for the City of Bellevue determined at the time that the proposal to amend the comprehensive plan would not result in any probable, significant adverse environmental impacts, therefore, a Determination of Non-significance (DNS) was issued on October 8, 2020. The current rezone proposal is a furtherance of the same proposal that was previously evaluated; there is no new information, regulatory change, or change to the proposal that would result in any new environmental impacts. Per WAC 197-11-600(4)(a) and 197-11-635, existing environmental documents that evaluated the same proposal may be used and incorporated by reference. A copy of the prior SEPA DNS and environmental checklist is in the project file of this rezone application. A project level environmental review will be completed during the review of any proposed project action to redevelop the site.



## **VII. DECISION CRITERIA**

### **A. 20.30A.140 Rezone Decision Criteria**

The City may approve or approve with modifications an application for a rezone of property if:

#### **1. The rezone is consistent with the Comprehensive Plan;**

**Finding:** The proposal is consistent with the Comprehensive Plan as this rezone implements the previously approved Comprehensive Plan Amendment 20-102660-AC. This current site is underutilized compared to the surrounding urban development and potential that this rezone affords. This proposal will allow the existing site to be redeveloped, and rather than office uses, it will create opportunity for a greater mix of complementary land uses that maximizes this location within an urban environment and walkable distance to Crossroads Park and other commercial uses. This rezone allows for new non-motorized transportation improvements and opportunity to provide new connections to Crossroads Park. This proposal creates opportunity for appropriate increased development intensity to meet demand of envisioned growth in this area. These benefits are articulated in the following policies in the Land Use Element, Crossroads Subarea Plan and Planning District E.

#### **Land Use Element Policies:**

- Support development of compact, livable and walkable mixed use centers in Bel Red, Eastgate, Factoria, Wilburton and Crossroads. (LU-21).
- Monitor trends in Bellevue's job centers and consider land use changes, if needed, to maintain the vitality of these centers. (LU-22).
- Provide a diversity of commercial areas outside the Downtown to provide an array of business and development opportunities to serve other parts of the community. (LU-23).
- Assess the compatibility of commercial uses and other more intense uses when located in mixed use and predominantly residential areas. (LU-25).

#### **Crossroads Subarea Policies:**

- Reinforce the economic vitality of the Crossroads commercial areas and enhance Crossroads as the community gathering area of east Bellevue. (S-CR-8).
- Encourage development adjacent to Crossroads Park to complement the park edge through building and site design. (S-CR-20).
- Allow community-level retail uses in District E as shown on the Land Use Plan. S-(CR-77).
- Multifamily uses are not appropriate north of NE 8th Street within District E, except that mixed use multifamily developments may be appropriate when they: 1) are high quality; 2) are designed to avoid conflicts with commercial uses; 3) include measures that ensure residential and commercial uses complement each other, including outdoor gathering areas, public open space, park connectivity where appropriate, and pedestrian connections and activity areas; and 4) are generally

consistent with Figure S-CR. 2. (S-CR-79).

- Assess new mixed use multifamily development in Crossroads District E north of NE 8th Street when 300 or more dwelling units are constructed and occupied. The assessment should occur through the Comprehensive Plan amendment process. The assessment must be completed prior to accepting and vesting permit applications exceeding 400 dwelling units in District E north of NE 8th Street. At the time of the assessment the city may evaluate whether to allow or restrict additional multifamily housing within the district. (S-CR-80.)
- Require development to include pedestrian connections, open space, and activity areas to support site residents and users. (S-CR-81.)

Compliance with S-CR-79 and S-CR-81 will be required at the time of any future development of this property. S-CR-80 places a cap on accepting and vesting of permit application when the number of dwelling units within Planning District E and north of NE 8<sup>th</sup> exceeds 400 units. The current level of development has met this threshold and an assessment of this area must be conducted as part of future Comprehensive Plan updates. This rezone from Office to Community Business can occur as the CB zone allows uses other than multi-family dwellings. However, until the Comprehensive Plan is amended to address the number of dwelling units allowed no further additional multifamily units can be considered in this area.

**2. The rezone bears a substantial relation to the public health, safety, or welfare; and**

**Finding:** The rezone proposal promotes the public health, safety, and welfare by providing opportunity for new employment and residential units as part of future redevelopment of this site. The proposal enhances the public health, safety, and welfare of the city by allowing a greater mix of complementary land uses, allowing for new non-motorized transportation improvements and opportunity to connect to Crossroads Park, and appropriate increased development intensity to meet demand of envisioned growth in this area. Future development of the property will be required to comply with the development standards in place at the time of the development request.

**3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan or because of a need for additional property in the proposed land use district classification or because the proposed zoning classification is appropriate for reasonable development of the subject property; and**

**Finding:** This rezone is warranted to achieve consistency with the Comprehensive Plan and the GMA. In December 2020, the City Council amended the Comprehensive Plan designation and District Map to change the land use from Office (O) to Community Business (CB). Rezoning the Property to CB is consistent with GMA goals encouraging development in urban centers and the Comprehensive Plan's vision for this area.

**4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and**

**Finding:** Any development proposed under the CB zoning designation is consistent and compatible with the surrounding uses. The existing development on the property consists of single story buildings, outdoor storage, and surface parking. The Rezone will provide an opportunity for redevelopment of this property to allow a greater mix of complementary land uses, transportation improvements, park connectivity, and a development that is more compatible with the adjacent park use. The Comprehensive Plan supports development within walking distance to compact mixed use centers and transit as part of the City of Bellevue's overall vision.

This proposed rezone does not affect any existing onsite development of the surrounding parcel. The development requirements placed on future development proposals will be determined at the time of application for redevelopment. Transition Area Design District will limit direct impacts to the neighboring multifamily development north of the site. The rezone will not be materially detrimental to the surrounding uses and is consistent with the Crossroads Subarea Plan.

**5. The rezone has merit and value for the community as a whole.**

**Finding:** The rezone will promote redevelopment and revitalization of an existing site to allow for continued economic growth for the community.

**VIII. RECOMMENDATION OF THE DIRECTOR**

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **recommend approval with conditions** the Safeguard Self Storage Rezone.

**IX. CONDITIONS OF APPROVAL**

The following conditions are imposed under the Bellevue City Code referenced.

**1. Authority**

Approval of this rezone does not constitute an approval of any Land Use Code amendments, entitlement review, or any other ancillary permits that may be required for the design and construction of any proposed development on the rezone site.

**AUTHORITY:** Land Use Code 20.30A

**REVIEWER:** Reilly Pittman, Land Use Review

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6561

AN ORDINANCE adopting the Safegard Self Storage (20-102660 AC) 2020 amendment to the Comprehensive Plan of the City of Bellevue pursuant to the Growth Management Act, Chapter 36.70A RCW, and Chapter 35A.63 RCW; and establishing an effective date.

WHEREAS, the City Council adopted the Comprehensive Plan of the City of Bellevue on December 6, 1993, as required by the Growth Management Act of 1990, as amended, and also adopted the Comprehensive Plan pursuant to Chapter 35A.63 RCW; and

WHEREAS, the Growth Management Act authorizes the City to, among other things, amend the Comprehensive Plan on an annual basis; and

WHEREAS, a privately-initiated proposal to amend the Crossroads Subarea Plan map from Office (O) to Community Business (CB) on five parcels totaling 6.4 acres at 1015 164th Ave NE was submitted for consideration with the 2020 annual Comprehensive Plan amendments; and

WHEREAS, the Planning Commission held public meetings and a public hearing pursuant to legally-required notice on the proposed amendment to the Comprehensive Plan and recommended approval to the City Council; and

WHEREAS, the City Council considered and discussed the proposed annual amendment to the Comprehensive Plan; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW) and the City's Environmental Procedures Code (Chapter 22.02 BCC); and

WHEREAS, the City Council desires to amend the Comprehensive Plan consistent with the foregoing; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The Crossroads Subarea Plan map included as Attachment A to this Ordinance and changing the comprehensive plan land use designation of the property located on five parcels totaling 6.4 acres at 1015 164th Ave NE from Office (O) to Community Business (CB) is hereby adopted.

Section 2. The City Council finds that the 2020 Safegard Self Storage Comprehensive Plan Amendment (CPA) has met the CPA decision criteria contained in the Land Use Code (Part 20.301 LUC); that the amendment is

consistent with the Comprehensive Plan and other goals and policies of the City; that the amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; that the amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was considered; that if the CPA is a site-specific amendment, then the subject property is suitable for development in general conformance with adjacent land use, the surrounding development pattern, and with zoning standards under the potential zoning classifications; and that the proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the City.

Section 3. The City Council finds that public notice was provided for all 2020 amendments to the Comprehensive Plan as required by LUC 20.35.400 through 20.35.435 for Process IV amendments to the Comprehensive Plan.

Section 4. The Comprehensive Plan adopted pursuant to Chapter 35A.63 RCW, to the same extent and in the same respect as the Comprehensive Plan required by the Growth Management Act of 1990, as amended, is amended consistent with Section 1 of this Ordinance and the separate ordinances referenced therein.

Section 5. This Ordinance shall take effect and be in force five (5) days after its passage and legal publication. This Ordinance and the Comprehensive Plan shall be available for public inspection in the office of the City Clerk.

Passed by the City Council this 14<sup>th</sup> day of December, 2020, and  
signed in authentication of its passage this 14<sup>th</sup> day of December, 2020.

(SEAL)



Lynne Robinson, Mayor

Approved as to form:  
Kathryn L. Gerla, City Attorney

/s/ Matt McFarland

Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

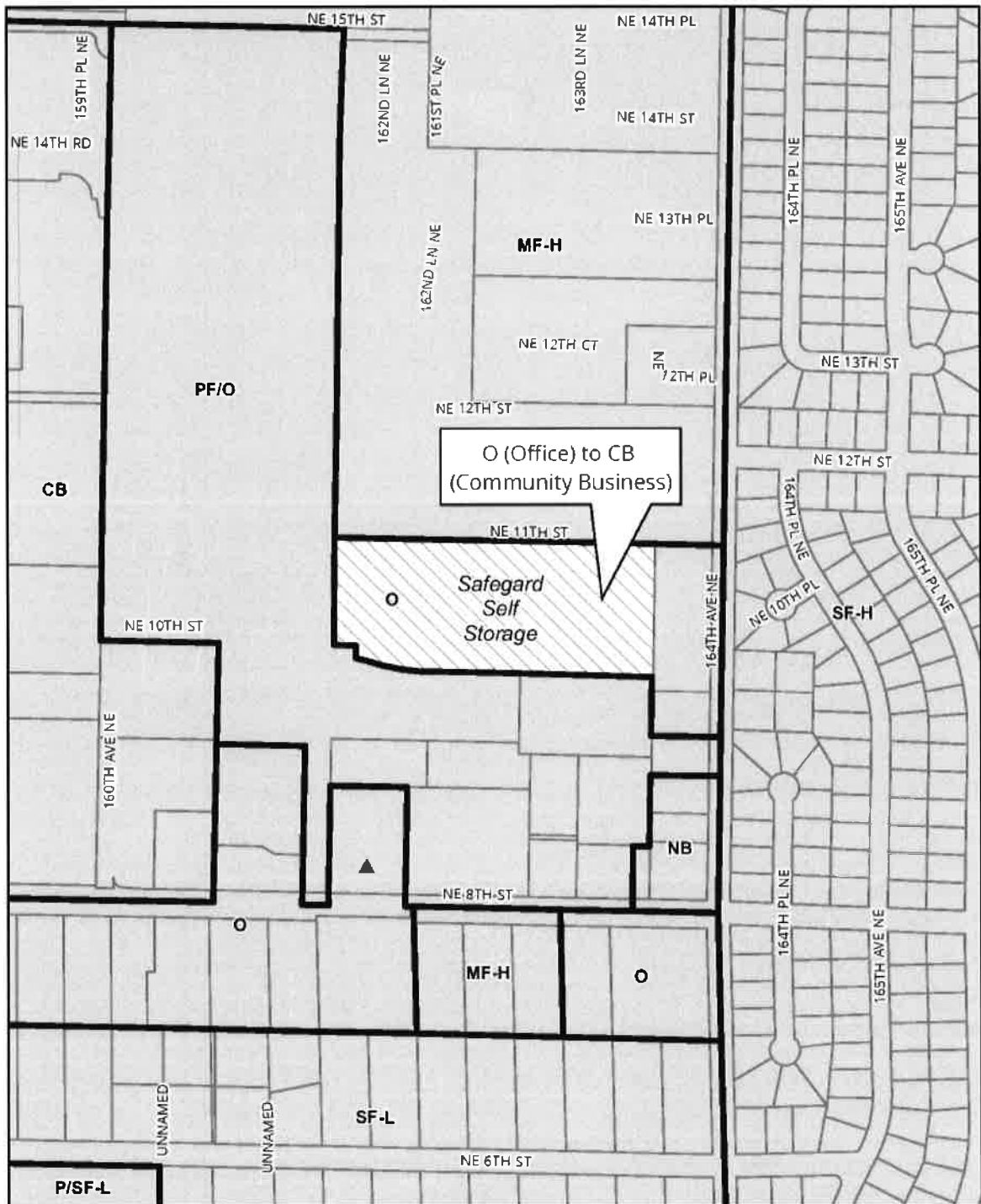
Published

12/17/20



## Attachment A

### Safeguard Self Storage



### Safeguard Self Storage



SF Single Family  
MF Multi Family  
-L Low Density  
-M Medium Density  
-H High Density  
-UR Urban Residential

PO Professional Office  
O Office  
CB Community Business  
DNTN Downtown  
GC General Commercial  
P Park

Area of Interest  
 Comprehensive Plan  
 Parcel  
 Public School



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> Ave NE  
BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPOSER:** Larry Martin

**LOCATION OF PROPOSAL:** 1015 164<sup>th</sup> Ave NE

**DESCRIPTION OF PROPOSAL:** 2020 Annual Amendments to the Comprehensive Plan, including a Work Program and proposed amendments to the Bellevue Comprehensive Plan for purposes of RCW 36.70A, assuring that the Plan continues to comply with the requirements of the GMA and including consideration of emerging local and regional needs, changes to state and federal laws, Bellevue's progress towards meeting GMA Goals, and whether the Plan is internally consistent. This privately-initiated application proposes a site-specific amendment to five parcels totaling 6.4 acres in the Crossroads Subarea from Office (O) to Community Business (CB).

**FILE NUMBERS:** 20-102660-AC

**SEPA PLANNER:** Heidi M. Bedwell

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- ☐ There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on \_\_\_\_\_.
- ☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Only persons who submitted written comments before the DNS was issued may appeal the decision. This DNS is only appealable as part of the City's action on the amendment to the Comprehensive Plan. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action.
- ☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposal's probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

*Elizabeth Stead*

Environmental Coordinator

10/8/2020

Date

### OTHERS TO RECEIVE THIS DOCUMENT:

- ☐ State Department of Fish and Wildlife / [Stewart.Reinbold@dfw.gov](mailto:Stewart.Reinbold@dfw.gov)
- ☐ State Department of Ecology, Shoreline Planner N.W. Region / [MARI461@ECY.WA.GOV](mailto:MARI461@ECY.WA.GOV);  
[sepaunit@ecy.wa.gov](mailto:sepaunit@ecy.wa.gov)
- ☐ Army Corps of Engineers
- ☐ Attorney General [ecyolyef@atg.wa.gov](mailto:ecyolyef@atg.wa.gov)
- ☐ Muckleshoot Indian Tribe [glen.stamant@muckleshoot.nsn.us](mailto:glen.stamant@muckleshoot.nsn.us) [Fisheries.fileroom@muckleshoot.nsn.us](mailto:Fisheries.fileroom@muckleshoot.nsn.us)